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New York

President:	Mr. Axworthy	(Canada)
Members:	Argentina	Mr. Listre
	Bangladesh	Mr. Chowdhury
	China	Mr. Wang Yingfan
	France	Mr. Levitte
	Jamaica	Miss Durrant
	Malaysia	Mr. Hasmy
	Mali	Mr. Keita
	Namibia	Mr. Andjaba
	Netherlands	Mr. Scheffers
	Russian Federation	Mr. Lavrov
	Tunisia	Mr. Ben Mustapha
	Ukraine	Mr. Yel'chenko
	United Kingdom of Great Britain and Northern Ireland	Sir Jeremy Greenstock
	United States of America	Ms. Soderberg

Agenda

Protection of civilians in armed conflict

Report of the Secretary-General to the Security Council on the protection of civilians in armed conflict (S/1999/957)

00-39804 (E)

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The meeting was called to order at 11.35 a.m.

Adoption of the agenda

The agenda was adopted.

Protection of civilians in armed conflicts

Report of the Secretary-General to the Security Council on the protection of civilians in armed conflict (S/1999/957)

The President: I should like to inform the Council that I have received letters from the representatives of Australia, Austria, Azerbaijan, Bahrain, Colombia, Egypt, Indonesia, Israel, Japan, New Zealand, Pakistan, Portugal, the Republic of Korea, Singapore and the Sudan, in which they request to be invited to participate in the discussion of the item on the Council's agenda. In accordance with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Ms. Wensley (Australia), Mr. Pfanzelter (Austria), Mr. Kouliev (Azerbaijan), Mr. Buallay (Bahrain), Mr. Valdivieso (Colombia), Mr. Aboul Gheit (Egypt), Mr. Wibisono (Indonesia), Mr. Lancry (Israel), Mr. Kobayashi (Japan), Mr. Powles (New Zealand), Mr. Babar (Pakistan), Mr. Monteiro (Portugal), Mr. Suh Dae-won (Republic of Korea), Mr. Mahbubani (Singapore) and Mr. Erwa (Sudan) took the seats reserved for them at the side of the Council Chamber.

The President: In accordance with the understanding reached in the Council's prior consultations, and in the absence of objection, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Jakob Kellenberger, President of the International Committee of the Red Cross.

There being no objection, it is so decided.

I invite Mr. Kellenberger to take a seat at the Council table.

If I hear no objection I shall take it that the Security Council agrees to extend an invitation to the Permanent Observer of Switzerland to the United Nations to participate in the discussion without the right to vote.

There being no objection, it is so decided.

At the invitation of the President, the Permanent Observer of Switzerland to the United Nations took the seat reserved for him at the side of the Council Chamber.

The President: The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them the report of the Secretary-General to the Security Council on the protection of civilians in armed conflict, document S/1999/957. Members of the Council also have before them a draft resolution prepared in the course of the Council's prior consultations, which will be issued as document S/2000/335.

If I may be allowed, before inviting the Secretary-General to speak, I will just acknowledge the very good attendance at today's meeting. I would in particular acknowledge the presence of 220 students from a model United Nations Assembly, many of whom are Canadians. We welcome these young United Nations delegates who are joining us at today's session, and we are glad to see you here.

I now call on the Secretary-General.

The Secretary-General: I am very pleased to join you today for this important debate dedicated to the protection of civilians in armed conflict. I wish to welcome the Foreign Minister of Canada and to express my appreciation for his commitment to making this issue a priority for the entire United Nations system. I also wish to welcome the new President of the International Committee of the Red Cross (ICRC), Mr. Jakob Kellenberger, to this meeting.

The first debate on civilians in armed conflict last year laid the groundwork for today's vital effort to transform our words of commitment into a better, safer reality for the most vulnerable of our world. I am pleased to say that both the Security Council and the General Assembly followed up last year's debate with concrete steps. The General Assembly has focused its efforts on strengthening legal protections: the adoption of a text by

the working group on an optional protocol to the Convention on the Rights of the Child, and the expansion of efforts to strengthen and extend the Protocol to the 1994 Convention on the Safety of United Nations and Associated Personnel. The Security Council has also taken action to provide enhanced protection for civilians. These efforts have found most concrete expression in establishment of the peacekeeping operations in Sierra Leone, East Timor and the Democratic Republic of Congo.

The mandates of the United Nations Mission in Sierra Leone (UNAMSIL) and the United Nations Transitional Administration in East Timor (UNTAET) made specific provision for the protection of civilians, and the mandates of UNAMSIL and the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) provided for support for the protection of children through the deployment of Child Protection Advisors.

The efforts within the Council and the General Assembly have been supported in a variety of ways by the Secretariat and United Nations agencies, as well as by non-governmental organizations, our valued partners. We have sought to strengthen the protection of internally displaced persons, most recently in February of this year, when my Representative on Internally Displaced Persons undertook a mission to Burundi to urge the Government to dismantle the regroupment camps.

Elsewhere in Africa, the Office of the United Nations High Commissioner for Refugees (UNHCR) is implementing programmes for prevention and response to sexual violence in Tanzania, Kenya, Guinea, Liberia and Sierra Leone. Working with representatives in the field, the United Nations Children's Fund, the World Health Organization and my Special Representative for Children in Armed Conflict have negotiated "days of tranquility", making arrangements in Angola, East Timor, Sierra Leone and Sri Lanka in order to permit immunization and vaccination campaigns.

My report on the protection of civilians in armed conflict contained a number of recommendations. Today, I wish to draw particular attention to three of them and urge the Council to give greater consideration to their implementation. Perhaps the most far-reaching of the recommendations related to the creation of a rapid deployment force. During the very same week that I urged this step, events in East Timor offered the clearest evidence of the need for such a capacity. In that case, thankfully, the Australian Government, supported by other Council members, stepped in to fill the vacuum.

Nevertheless, the crisis underscored the importance of having a more systematic rapid-reaction capacity in the United Nations. I urge the Council to support these efforts and to consider taking further steps towards this fundamental strengthening of the Organization's ability to protect civilians in armed conflict.

The second recommendation I wish to mention relates to cases where there has been sufficient warning of impending attacks or an escalation of conflict and where the Council has in some instances made use of preventive deployments.

In February this year, we successfully concluded such a mission in the Central African Republic. The positive impact of preventive measures continues to be proved also by the role of the United Nations Mission of Observers in Prevlaka as a stabilizing force in the Prevlaka peninsula. I welcome the Council's willingness to consider the future establishment of preventive missions, including the dispatch of monitors and fact-finding missions, when we know that they can truly make the difference between the peaceful settlement of disputes and violent conflict.

Where a conflict has already led to a mass exodus of a civilian population, a critical element in enhancing their protection lies in improving the security of the refugee camps. This was the focus of the third recommendation I wish to note today. Since the introduction of my report, UNHCR and others have taken a number of initiatives in relation to the security, civilian and humanitarian character of the camps and settlements. Such efforts have included the provision of material support to local security services in Kenya and Tanzania and an arrangement in the refugee camps in the former Yugoslav Republic of Macedonia that enabled Swedish police officers to work in partnership with the local police.

Efforts have also been made to relocate a number of refugees away from borders in Albania, Guinea, Liberia, Chad, the Central African Republic and the Democratic Republic of the Congo. In Zambia, on the border to Angola, UNHCR cooperates closely with the International Organization for Migration and the World Food Programme to move refugees to other locations either through airlifts or by road.

In future conflict situations, it may be necessary to consider temporary security zones and safe corridors for the protection of civilians and I welcome the Council's

readiness to consider the feasibility of such measures. However, I must emphasize that, in situations where the consent of the parties is not forthcoming, such security zones require the presence of a credible force.

This open debate of the Council bears vivid testimony to a growing recognition that our first duty in any conflict is to protect innocent civilians, who have no part in the fighting, who have nothing to gain from its persistence and who have no choice but to rely on the international community to help them in their most desperate hour of need. To answer their call is our most important obligation under the Charter, and it is my hope that this debate will give further impetus to our efforts to do so.

The President: I thank the Secretary-General for his very evident leadership on this very crucial issue.

At this meeting, the Security Council will hear a briefing by Mr. Jakob Kellenberger, President of the International Committee of the Red Cross, to whom I give the floor.

Mr. Kellenberger: I thank you, Mr. President, for your invitation, which attests to the recognition of the role played by the International Committee of the Red Cross (ICRC) in an area at the core of its concerns: the protection of civilian populations in armed conflict. It gives me particular pleasure to take the floor under your presidency, Sir, as you are a convincing promoter of the concept of human security — a concept close to my heart.

The importance of taking the humanitarian dimension into account in maintaining international peace and security is now generally acknowledged. The open debate that took place in March at the initiative of the Bangladesh presidency is evidence of firm commitment to pursuing that course. That commitment should be translated into even more tangible measures.

The ICRC's action is rooted in international humanitarian law. As guardian of that body of law, the ICRC endeavours to ensure that it is respected by all parties involved in conflict, be they Governments or non-state entities. Through its presence in more than 80 countries, the ICRC establishes a dialogue with all actors in conflicts with a view to creating a relationship of trust, thereby securing the practical implementation of humanitarian law and making sure that we have access to all victims of armed conflicts in order to protect and assist them.

The protection of civilians is at the centre of that law. I would, however, like to point out in passing that humanitarian law also protects combatants, in particular those placed *hors de combat*: prisoners of war and sick or wounded members of the armed forces. For this protection to be effective, all States must ratify the humanitarian law instruments, such as the 1977 Protocols Additional to the Geneva Conventions. Furthermore, it is crucial that States adopt national implementation measures and give instruction in the law, especially to their armed forces. These various aspects of legal protection are vital and we are glad to see that they are mentioned in the Secretary-General's report.

Despite all the horrors that we witness and are often powerless to remedy, and despite the obvious limits to what is known as legal protection, we are convinced that humanitarian law is as relevant as ever. This was one of the conclusions of a major survey, entitled "People on War", carried out by the ICRC last year among the population of several countries, most of which had been affected by war. The survey strongly reaffirmed the importance of maintaining the distinction between civilians and combatants, the cardinal principle of humanitarian law.

In practice, however, that distinction is tending to become blurred. Indeed, civilians have become the primary victims and often the very object of war. Various reasons, mainly ethnic, religious, economic and social, are put forward to explain this phenomenon. Those causes are compounded by other factors, such as the emergence of paramilitary groups, whose members may have had no proper training and whose actions may be unpredictable, sometimes committing atrocities and becoming easy targets themselves. An equally worrying fact is that members of regular armed forces, if they are without resources because they have not received their pay, may resort to all sorts of excesses in order to survive.

The aim of humanitarian law is to protect the civilian population as a whole against attack, whether targeted or indiscriminate, and against acts of violence and abuse of all kinds. Humanitarian law also provides specific protection for certain categories of victims, such as women, children, internally displaced persons, refugees and persons reported missing. The work of the ICRC, therefore, cannot be limited to certain categories; it encompasses all victims, while taking into account their particular vulnerability.

Violations of humanitarian law perpetrated against civilians cause mass population movements. Millions of people are terrorized and forced to flee for their lives, or are driven from their homes and sometimes resettled against their will in camps or villages.

Today the ICRC affords protection and assistance — often the two cannot be separated — to some five million displaced persons. Africa is particularly severely affected. In Angola, the new upsurge in fighting has caused a mass exodus from rural areas into towns. The ICRC is providing aid in the form of food, medical assistance and agricultural rehabilitation for some 330,000 displaced persons and residents in the Huambo and Kuito areas.

In the Democratic Republic of the Congo, the ICRC is supplying about 200,000 vulnerable people with food and other relief, not to mention the support given to the medical infrastructure, the ICRC's efforts to gain access to persons deprived of their freedom, and the distribution of safe water to hundreds of thousands of people.

In Colombia, where it has been working since 1969, the ICRC has set up, in cooperation with the Colombian Red Cross, an aid programme for displaced victims of the internal conflict. In 1999 the ICRC alone gave emergency assistance to some 170,000 displaced people.

To take one last example — and I am mentioning only some of the most striking examples — in Afghanistan, where it has 70 expatriate staff and over 1,000 national employees, the ICRC is assisting thousands of displaced families and families who have returned to their places of origin, and 23,000 more in Kabul where the head of the family is widowed or disabled. In addition, over 150,000 people receive medical care thanks to the programme of support for hospitals. Altogether, the ICRC provides full or partial support for more than 30 surgical units and runs five limb-fitting centres.

These needs are so enormous that they could never be covered by a single organization. The ICRC, concerned to achieve maximum efficiency, takes part in the examination and formulation of strategies designed to strengthen consultation and cooperation with other humanitarian actors, in particular the Office for the Coordination of Humanitarian Affairs (OCHA), the United Nations specialized agencies and others, so as to ensure complementary action and avoid duplication of work. This cooperation and coordination takes place laterally and on the operational level in the field.

The ICRC endeavours to promote harmonization of the approaches of the various humanitarian agencies. Since 1996 it has held four workshops on the protection of victims of armed conflict to help enhance the effectiveness of humanitarian and human rights organizations. The main thrust of this initiative is to clarify the concept of protection as understood by humanitarian law, human rights law and refugee law. In regard to displaced persons, the ICRC has drawn attention to the untoward consequences that can result from the simple transposition of long-term solutions appropriate for refugees onto persons displaced within their own country. That being said, I remain convinced that cooperation and coordination between the different humanitarian actors can and must be improved. In this effort, the ICRC can be counted on to act in the interest of the victims without compromising its independence, neutrality or impartiality. These three principles have no merits on their own but are designed to allow us to do our job in the field as effectively as possible and also to have, through that presence, an adequate early warning capacity.

I should like now to say a few words about particularly vulnerable categories of persons.

As concerns women in war, the Geneva Conventions and their additional Protocols afford women, as civilians, the same general protection as men. However, these instruments recognize the necessity of offering women specific protection because of their special needs. Despite these rules, women continue to suffer and, all too often, to be the targets of violence in armed conflicts. The parties to conflict are obliged to ensure the protection of, and respect for, women. It is high time for that protection to become a reality. Improving the protection of women and girls in times of armed conflict is a priority for the ICRC.

Indeed, this resolve has taken shape in a project entitled "Women affected by armed conflict". The ICRC is currently drawing up guidelines for its operational activities relating to protection and assistance for women in times of armed conflict. This commitment takes the form of a four-year programme covering, among other things, the dissemination of the rules of humanitarian law protecting women and the issue of sexual violence. The ICRC has also undertaken to make sure that all its activities take account of the needs of women and girls, on the basis of a study which is nearing completion. An intensive awareness-raising campaign is under way in the media. Before Beijing + 5, a film produced jointly with

the BBC, a radio programme and a new brochure on women in war will be prepared and ready.

It is impossible to broach this matter without recalling Canada's special commitment to the issue and the role played by the Canadian Government and Red Cross Society during the twenty-seventh International Conference of the Red Cross and Red Crescent. The plight of children in times of armed conflict has been a source of concern for the ICRC for many years. The Geneva Conventions and their additional Protocols afford children general protection as members of the civilian population. There are also a large number of provisions affording them specific protection. All of our field operations comprise activities aimed at protecting children and at ensuring their health and safety. Examples of these activities are the identification and registration of unaccompanied children and follow-up of their cases, representations to secure the release of children held in detention, physical or psychosocial rehabilitation, and the restoration of family links.

The ICRC cooperates, and intends to continue to cooperate, in an effective manner with other agencies in the field and with Governments. The ICRC and the International Red Cross and Red Crescent Movement will carry on working to improve the situation of children in times of conflict, in accordance with the Plan of Action adopted at the twenty-seventh International Conference.

I should now like to refer to missing persons. For families, one of the most tragic consequences of war is not knowing what has happened to loved ones. Apart from the mental suffering caused by this uncertainty, there can also be serious legal and economic implications. Tracing missing persons has always been at the heart of the ICRC's mandate, and in the aftermath of fighting, it is one of its priorities.

One practical way of ascertaining the fate of persons reported missing is to negotiate access to places of detention with the authorities concerned and to hand them lists drawn up on the basis of statements of the missing persons' families. In this task the ICRC is often aided by the national Red Cross and Red Crescent Societies, which are invaluable partners both within the country concerned and abroad.

Humanitarian law bears witness to the importance that States attach to the issue of missing persons, but the relevant rules have yet to be properly applied in all conflict situations. The ICRC commends the efforts made by the international community in Bosnia and Herzegovina and in Kosovo and after the Gulf War, but urges it to heed the plight of families in other contexts which may attract less attention from the media. Indeed, the ICRC suggests that the issue of persons unaccounted for, and its own role in that regard, be systematically included in peace accords. The ICRC is convinced that the incorporation of humanitarian issues, such as missing persons, prisoners of war and detainees, can strengthen post-conflict peace-consolidation efforts.

I shall now speak about the role of the Security Council. When you, Mr. President, invited me to speak before the Security Council today, you asked me to outline the ICRC's views on the progress made in the Council since its debate on the protection of civilians that took place last year. I will do so with modesty, which is advisable in general, but particularly so for a greenhorn. But I will do so gladly. I would like, first of all, to stress how much we appreciate the growing importance that the Security Council attaches to the protection of civilians in times of armed conflict. The mobilization of the international community on this issue inevitably hinges on the Security Council's awareness of its urgency.

The Secretary-General's excellent report and the numerous recommendations it contains also go to the heart of the matter and raise very pertinent questions. Furthermore, it is most encouraging that the Council is disposed to establish a monitoring mechanism and that the major humanitarian agencies are associated with this initiative, which guarantee that the debate will not remain a virtual one. Security Council resolutions contribute to creating a culture conducive to the prevention of violations and the cessation of impunity for the culprits. We cannot but welcome this trend. However, these appeals will rapidly become empty words unless they are accompanied by practical and concrete measures intended to improve protection of the physical integrity of individuals.

In his report to the Security Council on the protection of civilians in armed conflict, issued last September, the Secretary-General drew a clear distinction between recommended measures to strengthen physical protection and recommended measures to strengthen legal protection. I find this distinction useful and necessary, for we are all too aware of the limitations of legal protection alone. Speaking for a humanitarian organization that is present and active on a permanent basis in practically all situations of armed conflict, I would like to add in all modesty that this active presence and the will — the

strong will — to maintain dialogue and contact with all parties to the conflict constitute an essential factor for protection in themselves.

The Secretary-General's recommendation that the Security Council consider the imposition of appropriate enforcement action in the face of massive and ongoing abuse was made in the context of a debate which became acutely pertinent following the action of North Atlantic Treaty Organization (NATO) forces in the Balkans. Here I would like to share with the members of the Council a concern of the ICRC which has to do very much with the weight of words. The term "humanitarian" has often been misused. We have heard talk of a "humanitarian war" or even of "coercive humanitarian countermeasures", to cite only a few of the expressions that create dangerous confusion as to the respective roles and responsibilities of political actors on the one hand and humanitarian organizations on the other.

The question here is not the validity of coercive action in extreme circumstances. Such action is often a last resort, necessary to protect the civilian population. Indeed, it may be essential in situations where there are large-scale and systematic violations of human rights and humanitarian law. The States parties to the 1949 Geneva Conventions have undertaken not only to respect, but also to ensure respect for, the rules set out in those Conventions.

Coercive measures, however, should be envisaged only in extreme cases. The Security Council has numerous other means at its disposal for enhancing the security of populations, ranging from preventive deployment to the dispatch of peacekeeping or peace-consolidation forces. The Council is to be commended for making provision, in the mandate of certain missions, for measures designed to protect civilians who are in immediate danger of physical violence. These innovative developments demonstrate the will to take concrete action.

In the ICRC's view, the important thing is to distinguish between political and military action aimed at addressing the causes of conflict and humanitarian action aimed at addressing its effects. The law governing the right to use force, or *jus ad bellum*, must therefore remain clearly distinct from humanitarian law automatically applicable in the event of military operations, or *jus in bello*. The legitimacy of the cause being defended can in no circumstances exempt a military operation from the obligations laid down in international humanitarian law.

We have noted, however, that peacekeeping operations are taking on an increasing number of humanitarian aspects. This trend entails certain dangers. In situations where peace is still fragile, United Nations troops may have to use force, which can create the impression that they are party to the conflict. This can cause them to be denied access to certain regions and thus to some of the victims. In general, the ICRC believes that coercive action, apart from affording protection for civilians, should create conditions that allow humanitarian agencies to operate, but without being associated with such action in any way. Being associated with coercive action would jeopardize the work of humanitarian organizations by undermining their credibility and their acceptance by the parties to the conflict. So it is the confusion between different modes of action that is causing us concern and appears dangerous. To each his own: the use of force is the domain of the military, and relief activities the domain of humanitarian agencies.

I would not like to conclude without saying a few words about the sanctions which have been at the centre of the Council's debates this week. The ICRC has always been concerned by the humanitarian consequences for the civilian population; therefore, it cannot but express its appreciation for the decision to establish a working group on that topic, notably with a view to fully taking into account humanitarian consequences.

It is essential to strengthen all aspects of complementary action if we are to bring about tangible improvement in the protection of civilians. In this regard, I feel that firm resolve on the part of the Security Council to take bold political decisions and create the conditions necessary for the humanitarian organizations to preserve their indispensable independence will guarantee effective implementation of our shared objectives.

The President: I would like to express to Mr. Kellenberger — I am sure, on behalf of all members of the Council — great admiration and appreciation for the work of the International Committee of the Red Cross.

Mr. Scheffers (Netherlands): After a thorough and lengthy process, we are close to a first wind-up of a very important debate on the topical issue of the protection of civilians in armed conflict. The time has indeed come for some concrete and coherent action.

In this connection, I would like to commend the Canadian presidency, and you personally, Minister Axworthy, for the preparation of this debate and, as a matter of fact, for the very capable handling by Canada of this whole issue. The Netherlands was more than happy to assist Canada in its efforts during the Netherlands' presidency last September. My delegation appreciates highly the valuable input — including today — by the Secretary-General and the former and the present President of the International Committee of the Red Cross. A week ago the Security Council had the opportunity to discuss this issue with three major humanitarian non-governmental organizations, which provided us with unique insight on how protection needs present themselves in the field.

As the representative of Portugal will make a statement on behalf of the European Union later in this debate, I will limit myself to four specific observations. Taking stock of what has been accomplished so far, I would like to recall some of the main points made by the Netherlands delegation in previous debates and to see where we are now.

The first and most prominent point deals with the full compliance with the rules and principles of international law, including human rights and international humanitarian law. Geneva should not be regarded as a distant cousin of the United Nations family residing in New York, but as an intrinsic part of it. The Geneva and Hague Conventions should always guide us when we are dealing with armed conflicts. They contain provisions for conflict prevention and conflict resolution and should therefore be fully used. In this connection, I would like to reiterate my delegation's earlier observations on the International Fact-Finding Commission. My delegation also believes that the Security Council should further enhance its cooperation with the International Committee of the Red Cross.

The perpetrators of genocide, crimes against humanity and war crimes should be prosecuted and duly punished. I seize this opportunity to pay tribute once more to the International Criminal Tribunals for Rwanda and the former Yugoslavia, which have clearly proved that we should not hesitate to bring to justice those who might have considered themselves immune. The early entry into force of the Statute establishing the International Criminal Court will further contribute to ending impunity and thus to the prevention of future war crimes. Although the issue of impunity is not dealt with in the draft resolution to be adopted, we believe it merits the full attention of the competent United Nations bodies.

My second point is respect for international law, including human rights law, which is essential for the prevention of armed conflict. As stated by the Secretary-General in his outstanding millennium report, gross and systematic violations of human rights offend every precept of our common humanity. He referred in particular to Rwanda and Srebrenica. In the face of grave and widespread violations of human rights, the Security Council cannot afford to stand by and watch. The Council has the duty to act on behalf of the international community and should therefore consider which role to play in stopping these violations and thus prevent a further aggravation of the conflict situation. Such violations may well lead to crises that could endanger world peace and security. The Commission on Human Rights has an important role in making sure that human rights standards are upheld. It is therefore of the utmost importance that such violations are brought to the attention of this Council.

Equally important, and this is my third point, is the necessity of full and unimpeded access for United Nations and humanitarian personnel to populations in need, including refugees and internally displaced persons. It is up to the countries where such people in need are to make sure that their humanitarian requirements, including their protection, are met. When these countries are not able to provide for such needs, they should welcome international support and support from non-governmental organizations. The Council should act and take appropriate steps when there is a denial of such access including the freedom to move to the areas concerned, as suggested in the draft resolution we are about to adopt. Under specific circumstances, this may comprise the use of all measures at the Council's disposal, such as the imposition of targeted sanctions.

My fourth and final point is that my delegation would like to emphasize how important the need is for United Nations or United Nations-mandated action to be adequate, comprehensive and integrated. Strategic frameworks, such as the one agreed for Afghanistan, are a powerful tool to ensure such an approach. By combining actions in the field of politics, human rights, humanitarian assistance, disarmament, demobilization and reintegration, and development, a very similar approach was applied in the cases of East Timor, Kosovo and Sierra Leone. The draft resolution before us contains a menu of relevant elements, which should be considered fully whenever United Nations mandates are being prepared. The Netherlands would especially like to encourage the Secretary-General to make full use of the

prerogatives conferred on him by the United Nations Charter and to fully participate in the preparation of such mandates.

In conclusion, my delegation believes that the necessary prerequisites for adequate Security Council action have been well defined by the draft resolution, translating as much as possible the proposed recommendations into a framework for future action. It is up to the Council to take up the challenge and to ensure that the protection of civilians in armed conflict is part and parcel of its work.

Ms. Soderberg (United States of America): To the Deputy Secretary-General and Foreign Minister Axworthy, we are delighted that you are here. I also understand we have some Model United Nations students in the gallery, so welcome — I hope you are inspired today to follow us all.

This morning we are here to discuss a very difficult, but a very important topic, one that was at the forefront of the minds of the founders of the United Nations and of many other statesmen and political leaders before them. The United Nations founders set up this Organization "to save succeeding generations from the scourge of war", and to limit the human suffering and death that are the inevitable result of war. The Geneva Conventions stipulate that, at a minimum, civilians shall be treated humanely and not be murdered, tortured, mutilated, taken hostage, cruelly treated or made to face humiliating outrages against their dignity. This focus on the impact of war upon civilians has been at the heart of the United Nations since its beginning.

Unfortunately, ever since the founding of the United Nations and the conclusion of the Geneva Conventions, we have continued to see what the Secretary-General has termed a "civilianization of conflict" — as conflicts increasingly involve actors who blithely disregard the fundamental protections afforded civilians under international humanitarian law and are indeed often ignorant of, or indifferent to, fundamental rules of armed conflict. The traditional tools of diplomacy are not always completely effective, but as members of the Security Council with a responsibility to maintain international peace and security, we must identify means to address the outrages being perpetrated against civilians.

All of us here in the Council face a dilemma. We are aware of, and wish to promote and uphold, the ideals that motivated the founders of the United Nations. However, as we all know, we are constrained by various political realities. Our job is to walk a fine line and find a balance between what is ideal and what is feasible. The Secretary-General's report now before us sets out more than three dozen recommendations for steps that can be taken by the Council, by Member States and by other organs in the United Nations system to do a better job of protecting civilians from falling victim to armed conflicts. In fact, in various situations we have already put into practice many of the steps the Secretary-General recommends. While we support the ideals and the general goal of his report, we believe that every specific situation of armed conflict must be dealt with individually, in its own context, and bearing in mind the global standards set by the applicable provisions of international humanitarian law.

The United States appreciates the opportunity to exchange ideas on this difficult topic during the long and painstaking negotiations that have resulted in the draft resolution we are to adopt today. We support this draft resolution and will work with the other members of the Council to implement its provisions as appropriate in different circumstances.

The best way to protect civilians, of course, is to prevent conflict before it erupts, and the Security Council acknowledged this when it discussed the matter last November. We recognize the importance of early warning and early preventive actions, and we also recognize the many serious risks civilians face during armed conflict: they are often subjected to armed attack, or rape, or abduction. Whether they have fled their homes or remained in an unstable area, whether they have crossed an international border to relative safety or sought refuge nearby, their lives or their basic human needs may be at risk. They may face danger from the indiscriminate and irresponsible use of landmines or the uncontrolled spread of small arms and light weapons carried by too many of their fellow citizens and, many times, by their fellow child citizens. Clandestine radio broadcasts inciting genocide add another evil dimension to an already dangerous situation. And camps for displaced persons and refugees, which should be a temporary haven, may be infiltrated by armed elements who then hold the most vulnerable among them hostage.

There is a variety of options that we can consider. At times, encouraging diplomatic talks between the parties may be the proper response. At other times, the Council may need to dispatch monitors or impose targeted sanctions or even deploy civilian police or

peacekeeping troops. In other situations it may be appropriate to establish temporary humanitarian corridors or safe zones, or to choose an entirely different course of action altogether. Badly devised actions risk raising the dangers for the very people that we are seeking to help.

We also need to be sure that the United Nations personnel in the field are trained and equipped to get the job done right. Already, peacekeeping troops receive military training; civilian police receive training in patrolling and investigations; civilian administrators receive training in management techniques; and relief workers are trained in the logistics of delivering assistance. However, they also must be fully aware of the rules of international humanitarian law and of the special protection needs of the most vulnerable populations, including those of women, children and victims of disabling or communicable diseases. The United Nations has a role to play in helping make such training available, as do Member States. The United Nations also has a role in helping with the demobilization, disarmament and reintegration of former combatants, including child soldiers. But it cannot do these things alone. The host Governments must do their part. The World Bank, the United Nations Development Programme and other development agencies can also help make the transition from the initial phase of demobilization to the longer-term phase of reintegration into society.

In closing, I want to reiterate a point of paramount importance: civilians cannot be adequately protected by the international community alone. The authorities of the State in which armed conflict is occurring must cooperate with the international community and humanitarian organizations in ensuring access to the civilian population at risk, and by ensuring the safety and security of the United Nations and humanitarian personnel involved in operations designed to assist civilians. Each party to a conflict has an obligation under international law towards civilians, and each Government has a responsibility towards its citizens. Each Government must do all in its power to live up to the tenets of international law I referred to at the beginning of these remarks and to protect the civilians under its authority against threats to their lives, their dignity and their personal rights.

Mr. Levitte (France) (*spoke in French*): I would first like to thank the Secretary-General for his excellent introduction to our debate and to welcome the presence among us of Ms. Fréchette.

I would also like to welcome the presence at the Council table of Mr. Jakob Kellenberger, the new President of the International Committee of the Red Cross (ICRC), whose striking statement sheds light on our discussions. In addition, I would like to pay heartfelt tribute to the unique and irreplaceable role all our countries have conferred upon the ICRC, whose members do their job with remarkable courage and professionalism.

Our debate is at once essential — for we are talking about protecting whole populations — and also very technical, because it entails defining the most effective means of ensuring that protection. The Security Council held a very in-depth debate on 16 and 17 September on the whole host of issues raised by the protection of civilians in armed conflict. There is no point in repeating that debate today, yet we must agree that our recent work has confirmed just how important this subject is. That importance has been specifically borne out by the discussion we had last week on the Carlsson report, regarding genocide in Rwanda. Following the adoption of resolution 1265 (1999) of 17 September 1999, we are called upon today to adopt a new draft resolution that should make it possible to follow through on a number of major recommendations contained in the Secretary-General's report of last September.

First of all, the draft resolution rivets our attention in the way it couches the matter of protecting civilians in armed conflict at the very heart of the Council's concerns — and indeed at the heart of its work. The first operative paragraph states that the recommendations contained in the report of the Secretary-General of 8 September will be taken into account by the Council in carrying out its work. This means that that report is to be an ongoing point of reference for us. Moreover, the draft resolution clearly points out that the protection of civilians in armed conflict is an issue that covers most of the activities of the Council, whether we are talking of prevention, peacekeeping or coercive action.

The draft resolution also stresses the determination of the Council to secure all necessary information about the status of civilians in armed conflict. Under operative paragraphs 4, 6, 8, 24 and 25, the Secretary-General and the Member States are invited to provide the Council with such information. That information may come from any pertinent source, among which we know are included humanitarian agencies and many different non-governmental organizations present at the sites of conflict. It will be up to the Council to deal with such information. That task presupposes, as has been highlighted in the debate on Rwanda, that we in the

Council will have more time to do this and that we will undoubtedly dedicate less time to thematic debates.

Finally and most importantly, the draft resolution stresses the Council's readiness to face up to its responsibilities and to act with all the means at its disposal to make a contribution to better protecting civilians in armed conflict.

One of the means envisaged by the draft resolution, notably in operative paragraphs 8 and 12, involves appeals issued by the Council to the parties to a conflict. A second means, addressed in operative paragraph 4, is the establishment of operations designed to prevent conflict; the United Nations Preventive Deployment Force in Macedonia and the United Nations Mission of Observers observers in Prevlaka have shown what the Council can do in preventive terms. I also wish to mention the United Nations Mission in the Central African Republic, which afforded a very good recent example of United Nations success.

A third means involves peacekeeping operations of the more conventional variety. These operations may play a major role in protecting civilians. To that end, we must ensure a better definition of their mandates, which is addressed in operative paragraphs 13, 16, 17 and 18 of the draft resolution. We must also ensure a speedier deployment capability for such operations, as has just been emphasized by the Secretary-General. We look forward with interest to the outcome of work under way in the Special Committee on Peacekeeping Operations on this vital topic. Finally, we must devote special attention to training personnel involved in such operations, particularly in humanitarian law, as recalled in operative paragraph 19 of the draft resolution.

A fourth instrument that deserves our attention is sanctions. The adoption of sanctions by the Council during an armed conflict must not contribute to the deterioration of the conditions of civilians. The Secretary-General's report contains recommendations on this score, as does General Assembly resolution 51/242. It will be the responsibility of the Working Group on sanctions, which we have recently established, to take these into account, as specified in operative paragraph 22.

The issue of sanctions bears on the work of the Council within the context of Chapter VII of the Charter. The draft resolution contains very important provisions in this regard. Operative paragraph 5 provides that a threat to international peace and security can result from attacks against the civilian population and from systematic, flagrant and widespread violations of international humanitarian and human rights law. This is an especially important assertion. In effect, it means that in the face of such violations, the Council intends to place its work within the framework of Chapter VII and, depending on the circumstances, to resort to the possible measures referred to in that Chapter.

We attach great importance to the provisions of the draft resolution relating to actions taken in the struggle against anti-personnel mines and against the dissemination of light and small weapons.

The resolution we are about to adopt thus constitutes an important phase in our efforts to avoid the recurrence of the humanitarian tragedies of the last decade. I therefore wish to pay tribute to Canada's activity in this very important arena. We deem particularly encouraging the fact that our debate will be pursued next year on the basis of new recommendations of the Secretary-General.

The President (*spoke in French*): I thank the representative of France for his kind words addressed to me.

Mr. Lavrov (Russian Federation)(*spoke in Russian*): We are pleased, Mr. Minister, that you are with us once again directing the work of the Security Council. We are also happy to welcome to this Chamber the President of the International Committee of the Red Cross, Mr. Jakob Kellenberger. We thank him for his contribution to the work of the Council today.

Today, on the eve of the fifty-fifth anniversary of the end of the Second World War, consideration by the Security Council of issues related to the protection of civilians in armed conflict is of particular significance.

The Russian Federation follows with great attention the relevant activities of the United Nations, including those of the Security Council and other bodies. The goal of civilian protection, as well as the humanitarian aspects of international peacekeeping missions, is becoming increasingly important. We welcome the current debate and express our gratitude to the Secretary-General for his report, his recommendations and his statement made today.

Russia's position on this item is based on the need for an effective, adequate international response to all crises, including those of a humanitarian nature. This

response should be in strict compliance with the norms of international law and the provisions of the United Nations Charter. It also entails the primary responsibility of the Security Council for the maintenance of international peace and security, the strict observance of international rules of conduct by all States and the implementation of norms and principles of international law, including international humanitarian law, by all parties to an armed conflict.

The problem of protecting civilians in armed conflict is multifaceted and requires a comprehensive approach. Hence, it is fundamental to eradicate war from human society, to prevent and put an end to conflicts. This, *inter alia*, is the thrust of Russian initiatives designed to elaborate a concept of the world in the twenty-first century and to define the legal basis for the use of force in international relations in our globalizing world.

Among our highest priorities in this regard is to step up efforts for a more effective use of early warning capabilities and preventive diplomacy, deployment and disarmament, including combating illicit trafficking in small arms. In the context of our discussion, we should specifically highlight the principle of the peaceful settlement of disputes between States and the role of the General Assembly and Security Council in accordance with Chapter VI of the Charter.

Russia, like many other States, is fully aware from its own experience of the meaning of war and of the suffering it brings to peoples. Despite the efforts of the international community, armed conflicts continue to cause death and suffering for many thousands of people on our planet, particularly innocent civilians. Many of them are children, women, the elderly, refugees and displaced persons; in other words, the most vulnerable groups of the population. Political and humanitarian personnel of United Nations missions, the International Committee of the Red Cross and non-governmental organizations also fall victim to armed conflict.

The primary responsibility for protecting civilians in all circumstances is vested in the States and parties to an armed conflict. However, international efforts undertaken, including those undertaken by the Security Council, can have a powerful, positive impact on the performance of this task. We consider the resolution to be adopted after today's discussion as a significant step in the right direction. It will serve the purpose of enhancing protection of civilians as well as international personnel and will be a serious warning for those who violate international humanitarian law in the course of armed conflicts.

Last year marked half a century since the adoption of the Geneva Conventions on the protection of victims of war. Unfortunately, despite the fact that the vast majority of States have become parties to the Conventions, there is still too wide a gap between the provisions contained therein and their implementation during armed conflicts. The problems in this sphere should continue to be addressed in the United Nations General Assembly, the Economic and Social Council (ECOSOC), the International Committee of the Red Cross (ICRC) and other bodies directly involved in the protection of civilians in armed conflicts. We support the strengthening of cooperation and coordination between the Security Council and the above-mentioned organs on the understanding that in civilian protection just as in other issues there is a "division of labour" based on the provisions of the United Nations Charter and other international legal instruments.

Bearing this in mind, Russia is open to a broad dialogue aimed at reaching agreement on specific ways to mobilize the additional potential of international political and legal means for the protection of civilians in armed conflict.

Mr. Hasmy (Malaysia): My delegation commends Canada for emphasizing on the issue of human security during its presidency of the Council this month. We believe that the subject of the Council's meeting today, "Protection of civilians in armed conflict", is a clear reflection of Canada's continuing commitment to the promotion of human security, for after all, the underlying purpose of maintaining peace and security around the world is to preserve the security and well-being of each individual. My delegation is also gratified, Mr. President, that you have made this an open meeting to allow for the participation of the general membership of the Organization, thereby contributing further to the openness and transparency in the work of the Council to which Canada, and others in the Council, is also strongly committed. We are particularly pleased to see you, Sir, preside over today's meeting. Your active participation in the meetings of the Council has set a benchmark for your ministerial colleagues to follow.

My delegation is appreciative of the important remarks made this morning by the Secretary-General and Mr. Jakob Kellenberger, the President of the International Committee of the Red Cross (ICRC). Their very pertinent observations and proposals deserve the serious consideration of the Council. My delegation also appreciates Mr. Kellenberger's comments on the

humanitarian impact of sanctions, which is equally pertinent to the discussion at hand. We note that the Secretary-General himself has also touched on this aspect in his report.

The seriousness and emphasis placed by the Security Council on the protection of civilians affected by armed conflict are evidenced by the number of meetings already devoted to this subject. Only last month the Council had an open meeting to discuss the important subject of humanitarian aspects of issues before the Council in the context of the maintenance of peace and security. We also discussed, in February this year, the issue of the protection of United Nations and associated personnel, and humanitarian personnel in conflict zones. The report of the Secretary-General to the Council on the protection of civilians in armed conflict, which forms the basis of the draft resolution we will be adopting later today, is a response to the need for a set of guidelines on how to better protect civilians, which have more and more often become the targets of violence by combatants and armed elements in armed conflicts.

The international community is becoming increasingly alarmed at the growing number of civilians caught up in armed conflicts around the world, and particularly vulnerable groups such as women, children, the aged and the infirm, who constitute some 90 per cent of conflict casualties around the world. What is more disturbing is the fact that they have increasingly become deliberate targets as part of the combatants' war strategy. This is a deplorable development in the history of warfare. Such inhumane acts are unacceptable and must be condemned in the strongest terms. They are criminal and cruel acts for which the perpetrators must not be allowed to go scot-free, as this would only strengthen the culture of impunity that is so pervasive in so many areas of armed conflict around the world.

My delegation believes that the protection of civilians in armed conflicts should be all-encompassing. They should not only be assured of their physical security in situations of armed conflict but also be provided with legal protection under international law. This point has been underscored by the Secretary-General and the President of the ICRC and previous speakers. There are a number of international instruments or conventions that provide a legal basis for their protection, but these have not prevented civilians from being attacked and targeted with impunity. The perpetrators of these crimes must be warned that they are accountable for their actions and cannot hope to escape the full penalty of the law, even after the conflict is over. Only through such stern warnings by the international community and the actual prosecution and punishment of the guilty can these criminal acts be brought to an end. We must, singly and collectively, demonstrate our resolve to mete out punishment to those responsible.

As a practical measure to ensure the protection of civilians in armed conflict, it is important that both military and civilian United Nations personnel involved in peacekeeping missions be appropriately sensitized on the subject and provided with adequate training and instruction on international humanitarian and human rights law so as to be better able to handle actual situations on the ground. It is imperative that they have unimpeded access to civilians in need.

The physical protection of civilians in armed conflict has become even more urgent than before in respect of the hundreds of thousands of refugees in refugee camps around the world. The Secretary-General has stressed this point just now. Serious efforts must be made to ensure that armed elements are not allowed into refugee camps, unless they are first disarmed. This is to ensure that the civilians are not harassed or intimidated by these elements in their midst. This is a particularly difficult task to undertake but an extremely important one if we are to ensure that refugee camps remain refugee camps and do not become recruiting grounds for combatants or for the fomenting of violence and disorder.

The protection of civilians in armed conflicts requires a comprehensive approach on the part of the international community. It also requires coordinated and concerted efforts on the part of all concerned — peacekeepers, United Nations humanitarian workers and personnel of other international relief agencies and non-governmental organizations. They are indispensable partners in the field. While performing its own specialized duties, each plays a supportive and reinforcing role in ensuring the physical, legal and psychological protection and well-being of the hapless civilians caught in the traumas of armed conflict.

The Secretary-General has made a number of recommendations in his report. This morning he has highlighted three of them, which my delegation wholeheartedly supports. The Council has also adopted resolution 1265 (1999), which, *inter alia*, set up a mechanism to review the recommendations contained in the report. These recommendations have been examined and incorporated in the draft resolution before the Council, which, if fully implemented, will make a major

contribution towards fulfilling the goal of ensuring the protection of civilians in armed conflict. Malaysia therefore strongly supports the draft resolution and will play its part towards its effective implementation.

The President: I thank the representative of Malaysia for his very kind words.

Mr. Wang Yingfan (China) (spoke in Chinese): The Chinese delegation welcomes you to New York, Mr. President, to preside over this open meeting and also expresses its appreciation of the efforts made by Ambassador Fowler and the delegation of Canada for its convening. We would also like to thank the Secretary-General and Mr. Jakob Kellenberger, President of the International Committee of the Red Cross (ICRC) for their statements just now.

Today, armed conflicts continue to rage in many parts of the world, inflicting great harm on civilians, jeopardizing regional stability and development, and even threatening international peace and security. Addressing the issue of how effectively to protect civilians in armed conflict has always been a serious and difficult task for the international community.

Since this issue was first discussed by the Security Council in February 1999, some progress has been made in this field. Last September, the Council adopted resolution 1265 (1999) on the basis of the Secretary-General's report and established an informal working group to study the report and its recommendations. Building on this, the Council has prepared the draft resolution before us. It is our hope that its adoption will help the international community to achieve better results in the protection of civilians in armed conflict.

The Chinese delegation has consistently attached importance to the issue of protecting civilians in armed conflict and has always participated actively in the consideration of this issue by the Security Council, the General Assembly and other relevant bodies. We have participated in a constructive manner in the informal working group's review of the Secretary-General's report and recommendations, expressed our position and put forward positive suggestions on and amendments to this draft resolution.

Today, I would like to highlight once again the following points.

First, armed conflicts throughout the world differ in their causes, manifestations and natures. The Security Council should review and address the issue of the protection of civilians in armed conflict on a case-by-case basis, dealing with each situation on its own merits. The Security Council must take timely measures in response to such cases as the Rwandan genocide. Usually, however, it is the sovereign States that bear the main responsibility for protecting civilians in armed conflict. The Security Council cannot successfully consider and address this issue without the close cooperation of the countries involved. It should fully respect the opinions of the countries or parties concerned, assist them in various ways, in accordance with their specific needs, and act when necessary in support of their efforts to protect civilians.

Not long ago, for example, the Security Council, in response to the specific situations of the countries concerned, incorporated elements of civilian protection into the mandates of the United Nations Mission in Sierra Leone and the United Nations Organization Mission in the Democratic Republic of the Congo. This is commendable. In our view, the Government of a country in armed conflict tends to decide on the measures necessary to protect civilians in accordance with the nature and characteristics of the conflict and the actual circumstances of civilians in the area of conflict. In this regard, the positions of sovereign States should be respected by the Security Council. Action taken without the understanding and cooperation of the countries involved may lead those countries to resist. Should this occur, not only will relevant measures for protecting civilians fail to be implemented in any meaningful way, but more civilians will be dragged down into misery.

It must be pointed out that any attempt to politicize humanitarian concerns, wantonly interfere in other countries' internal affairs or, worse yet, overturn a legitimate Government under the pretext of protecting civilians runs counter to the purposes and principles of the United Nations Charter and will inevitably have serious consequences. The draft resolution before us reaffirms the purposes and principles of the United Nations Charter and stresses the need to respect the political independence, sovereignty and territorial integrity of all countries. We must keep in mind and abide by these principles in acting to protect civilians in armed conflict.

Secondly, in considering the issue of the protection of civilians in armed conflict, the Security Council should

ensure a clear division of labour and enhance coordination and cooperation with other bodies. The issue of protecting civilians in armed conflict involves political, peacekeeping, humanitarian, disarmament, legal and many other dimensions. It requires the concerted efforts of the entire international community and the United Nations system. The 40 recommendations in the Secretary-General's report were not made for the Security Council alone. Many of them need to be assessed and addressed by the General Assembly, the Economic and Social Council, the Office of the United Nations High Commissioner for Refugees and other relevant bodies. In our view, all agencies within the United Nations system should work with a well-defined division of labour and terms of reference. The Security Council should review and address this issue within its own mandate and, in doing so, support and cooperate with other agencies in this regard. This is the only way that different departments of the United Nations can work in harmony and mutual reinforcement, allowing the system as a whole to play its role more effectively.

Thirdly, while addressing the issue of protecting civilians in armed conflict, the Security Council should seek to eradicate the causes of crises. The Security Council, with its primary responsibility for maintaining international peace and security, should draw upon past successes and failures alike so as to perform its duties more effectively with a view to creating a favourable international environment of peace for all regions and countries. The Council should focus its efforts on finding solutions to the armed conflicts themselves.

Civilians can be truly protected only through the establishment of a generally favourable and peaceful environment and the early defusing of specific disputes leading to conflicts. At the same time, we believe that the international community and the relevant United Nations bodies should take further steps to eradicate the root causes of conflict by helping the countries at risk to eliminate poverty, develop their economies, promote national reconciliation and maintain domestic stability. Only thus can a fundamental solution be reached to the issue of protecting civilians in armed conflict.

Sir Jeremy Greenstock (United Kingdom): Thank you, Mr. President, for Canada's leadership on this issue. We are impressed by the stamina you are showing in keeping up with our arcane procedures in this body and I think we are going to miss you.

I should also like to express the United Kingdom's appreciation for the Secretary-General's and Deputy Secretary-General's personal involvement in this issue, which is very important, and to pay tribute President Kellenberger of the International Committee of the Red Cross (ICRC), not only for coming to join us this morning, but also for giving us a speech that we shall have to think about. On that basis, I am sure that he will be welcomed back to this Council whenever there is a subject that affects the ICRC.

The working group on civilians in armed conflict has worked long and hard to produce the draft resolution which we will adopt at the end of this meeting. It is a good draft resolution and the Canadian delegation is particularly deserving of congratulations. I should just like to add that our experts recently have done particularly good work on a number of resolutions. When texts are not coming to ambassadors for solution, that is a sign that something is going right in the procedures of inter-delegational activity here, and that is very much to be welcomed.

But I should like to look forward for a moment. This meeting needs to set down a marker. Today's draft resolution is not the end of a process. It will have value in the world outside only if it is the catalyst for a more systematic approach by the Council to the protection of civilians in specific conflicts. Last Friday we took stock of what happens when the United Nations and the international community get things wrong. The Carlsson report on Rwanda and the Secretary-General's own report on Srebrenica illuminated our collective commitment to human security; but I am not clear what we would do tomorrow if Rwanda hit us again.

The concept of security for individuals does not stand in opposition to that of security for States. It plays an intrinsic part in the wider objective. When individuals are protected, and their human, economic, social, political and cultural rights are upheld, international stability is consolidated. The goals in this draft resolution lie at the heart of a sustainable conflict- prevention strategy.

What is the next step for us, the members of the Council? James Orbinski, President of the International Council of Médecins Sans Frontières, made an excellent presentation to Council members in an Arria-format meeting last week. He said at one point that

> "the central task in achieving protection of civilians is to clearly define problems and solutions — not to

settle for vague problem definitions that mask political causes and responsibilities".

I think that President Kellenberger has forcefully made the same point to us in this debate.

The Security Council's first objective should be to contain threats to the peace. But we often appear hamstrung in undertaking actual preventive measures well in advance of the outbreak of violence. The Secretary-General this morning pointed to the Central African Republic and to Prevlaka as welcome exceptions to this, and Macedonia was another. But national priorities tend to make us shy of committing resources, and we slip too easily into a focus only on the immediate causes of conflict.

It is time to take a more professional approach to human security and conflict prevention. We should be making a real effort to improve coordination and information flow within the United Nations system. We need to strengthen the proactive role of the Secretary-General, so that coordination with the Economic and Social Council and the relevant United Nations agencies can begin to work more naturally. It is interesting to see that a number of us now are taking up this theme of the coordination between separate bodies of the United Nations. We need also to forge operational links between the regional organizations and the Security Council that can bear the weight of the work we have to do. Most fundamental of all, we need to make the psychological leap to tackling conflicts at their roots — their economic, social, structural, sometimes personal roots.

We will not always succeed. When we fail, peacekeepers may well be needed. The report which is being prepared by Lakhdar Brahimi and his panel will address the vital question of how we can do better in deploying peacekeepers. The United Kingdom is keenly interested in that report and expects from it an ambitious agenda for us to address. We need reformed Security Council procedures and reinforced Secretariat structures. But more than these, we need an improved system-wide approach that will consolidate the expertise of all relevant bodies without stifling the capacity of any to do the work that it does best. We need to produce clear-sighted analysis, comprehensive and integrated planning and well-resourced implementation.

As for post-conflict activity, let us think beyond protection and assistance during conflict and establish coherent strategies to build peace after the war is over. The move from crisis to reconstruction needs early thought and coordination across the United Nations family. We cannot wait until the peacekeepers and humanitarian teams have left before putting our plans in place. This is something which the United Kingdom is trying to do in Sierra Leone.

The draft resolution before us concentrates on the promotion of physical security. That is the first area where the Council can make a difference. It contains concrete commitments which we should strive to keep in practice. But more significant than that, it states that the targeting of civilians and the systematic violation of their rights can constitute a threat to international peace and security — a wake-up call to the Security Council, if we are listening.

The Secretary-General's report makes clear that the protection of civilians in armed conflict goes wider than simple physical security. For example, the international legal framework has made dramatic strides in recent years with the Rome Statute and the Ottawa treaty on landmines, both still awaiting the signature and ratification of too many Member States.

The European Union statement, to be made by Portugal this afternoon, goes into greater detail on legal aspects, on small arms and on vulnerable groups, so I shall leave United Kingdom comment on these points to my distributed text. But we regard it as particularly important that combatants are educated in their obligations under international humanitarian law.

This is a complex and ambitious agenda in front of us. It adds up to the mainstreaming of conflict prevention throughout the United Nations family of institutions. The Security Council cannot succeed on its own. The United Kingdom will vote for the draft resolution before us. In doing so, I encourage the wider international system, both intergovernmentally and through the United Nations agencies, to examine how best to make their own contribution.

And let us not forget the national level. The primary responsibility for the protection of civilians does not rest with the Security Council, with the International Committee of the Red Cross (ICRC) or with the United Nations Children's Fund (UNICEF). It is the responsibility of the belligerents in conflicts: of Governments, of non-State actors and particularly of their leaderships. They too must make a commitment and expect to be reproached by the international community

if they do not — a commitment to, where possible, resolve their disputes through peaceful means and to respect the rights and security of civilians. Such an understanding of the rights of the individual is indispensable to the sort of step-change that we are seeking today.

The President: I thank the representative of the United Kingdom for the kind words he addressed to me.

Mr. Ben Mustapha (Tunisia) (*spoke in French*): We are pleased to see you with us once again, Sir, presiding over this important meeting of the Security Council. I wish also to welcome the presence of Ms. Fréchette, Deputy Secretary-General of the United Nations. Likewise, we wish to thank Mr. Kellenberger, President of the International Committee of the Red Cross (ICRC), for being with us today and for the very interesting statement he made this morning.

On your commendable initiative, Mr. President, the Security Council is today considering the question of the protection of civilians in armed conflict. This question is both topical and related to the Council's responsibilities in the area of the maintenance of international peace and security.

To look at the armed conflicts that have taken place in recent years is to come to the inevitable and disturbing conclusion that the suffering of civilians is increasing, as are the risks they face, which include threats to their lives. Aggression; forced displacements, both inside and outside countries; the blocking of the delivery of humanitarian assistance; and the hardships endured by vulnerable groups, in particular children, women and the elderly, all are threats to the physical security of defenceless civilians.

Unfortunately, these practices are the result of deliberate actions, aimed at civilians taken by the parties to the conflict. Civilians are targeted and used as a means of warfare. As is noted by the Secretary-General in his report submitted to the Security Council in September 1999 on this question, not even United Nations personnel and international humanitarian personnel are spared.

Following consideration of this question in February and September 1999, the Security Council strongly condemned those actions and affirmed the resolve of the international community to deal with them.

Today, on the basis of its responsibility for the maintenance of international peace and security, the Council is preparing to adopt a new draft resolution on this issue that will provide for a number of steps and actions aimed at strengthening the physical and legal protection of civilians in armed conflict, so as to safeguard them during armed hostilities, ensure that humanitarian assistance can reach them and provide them with a secure environment pending a resolution of the armed conflict. The inhuman practice of targeting civilians, which has occurred in recent armed conflicts, must be put to an end. On the basis of that conviction, we support the draft resolution before the Council.

Accordingly, I should like to stress certain aspects of the question that my delegation believes to be particularly important. First, as the report of the Secretary-General and the draft resolution before us today make clear, the question of the protection of civilians in armed conflict is extremely complex, because it encompasses many aspects that are interconnected or closely linked to varying degrees, including in the political, legal, humanitarian, peacekeeping and peace-building areas. Given the multidimensional nature of the protection of civilians in armed conflict, it is necessary to adopt a comprehensive, consistent, non-selective approach, taking into consideration the specific characteristics of each situation.

The second aspect of the issue of the protection of civilians in armed conflict is the fact that it is, in essence, a humanitarian action. As such, it must be guided by the principles of neutrality and impartiality.

Thirdly, any action to protect civilians must supplement efforts to find a solution to the conflict in question, in accordance with the provisions regarding dispute settlement mechanisms in the United Nations Charter. Of course, the best approach is to prevent conflicts before they start, and, consequently, this is the best way to reduce human suffering, especially that of defenceless civilians.

Fourthly, because of the many aspects relating to the protection of civilians, coordination among the various actors is highly desirable to ensure the desired effectiveness in the framework of a comprehensive and complementary approach. The role of coordinator should be played by the United Nations.

Fifthly, it is essential to respect the principles of the sovereignty, political independence and territorial integrity of States and non-interference in their internal affairs, as well as to secure the consent and cooperation

of the parties, in particular the Governments of the countries concerned.

The question of the protection of civilians is not a new one. In the occupied Palestinian and Arab territories, civilians have waited too long for the complete observance of international law, including international humanitarian law and the relevant conventions, in particular the Geneva Convention Relative to the Protection of Civilian Persons in Time of War, and their fundamental rights, of 12 August 1949. Other more recent situations in Africa also require international attention.

Those are the comments that I wished to make on behalf of my delegation, and I reiterate our support for the draft resolution before the Council.

Mr. Andjaba (Namibia): I wish to thank you, Mr. President, and your delegation, for initiating the discussion of this very important subject. I also want to thank the Secretary-General for his report and excellent recommendations, which have set the stage for our deliberations today, as well as for the draft resolution we plan to adopt. We welcome the President of the International Committee of the Red Cross, and thank him for his very important statement.

Today, civilians, especially women, children and the elderly, are deliberately targeted by combatants and are constantly becoming victims of indiscriminate shootings, cruel and degrading treatment, physical and psychological torture and mutilation. You, Mr. President, have referred to this phenomenon as the "civilianization" of conflicts, and we share your view. It is therefore timely for the Security Council to consider the protection of civilians in terms of its overall mandate under the Charter of the United Nations.

All the recommendations made by the Secretary-General warrant serious consideration and implementation by the Security Council to the extent possible. However, the recommendations should be implemented in a fair and consistent manner, and civilians everywhere should be accorded the same physical protection so as to uphold the credibility of the Council. Those recommendations relating to the proliferation of arms and their impact on armed conflict and to the provision of humanitarian assistance are of particular importance and interest to my delegation.

The uncontrolled flow of not only small arms but all types of sophisticated light weapons into areas of conflict needs to be seriously addressed. Weapon-producing countries should not transfer arms, including landmines, to regions where armed conflict is imminent or raging. Equally important in this regard is the responsibility of Member States for ensuring that their citizens are not used as mercenaries.

Furthermore, the recommendations relating to the special protection needs of women and children are strongly supported by my delegation, and special arrangements should be put in place to ensure the protection of such people against the horrors of armed conflict.

Human suffering as a result of displacement is on the increase. On the other hand, displaced persons fleeing into neighbouring countries continue to place a huge social and economic burden on the host countries, especially in Africa. The international community needs to continue to provide significant support to host communities as well as to refugee populations.

The protection of civilians is closely linked to the capacity of United Nations peacekeepers to deploy rapidly. That point was highlighted this morning by the Secretary-General. As we have stated before, timely deployment, together with the appropriate mandate and adequate resources, can drastically improve the plight of besieged civilians during armed conflict. Again, support by the international community remains crucial.

The disturbing continuation of attacks against United Nations and associated personnel should receive the Council's urgent attention, and adequate measures must be considered to ensure the security of humanitarian field workers. In this regard, we support the call by the Secretary-General for the ratification of the 1994 Convention on the Safety of United Nations and Associated Personnel, and for the development of an appropriate protocol to extend the scope of legal protection to all United Nations and associated personnel.

My delegation concurs with the view that enough international humanitarian and human rights law instruments exist to ensure the legal protection of civilians. What is required is that parties have the political will to ratify and implement them and that parties to conflicts respect their provisions. Appropriate steps, such as those recommended by the Secretary-General, would therefore play an essential role in heightening awareness and promoting climates of compliance.

My delegation fully supports the draft resolution we are going to adopt later today. However, we wish to reiterate our grave concern over the situation at hand and would recommend that the Council continue to request reports from the Secretary-General and review the situation at regular intervals.

Mr. Listre (Argentina) (*spoke in Spanish*): I would like, first of all, to welcome the presence at this meeting of Mr. Kellenberger, the new President of the International Committee of the Red Cross and to thank him for his important statement. I wish to express to him Argentina's gratitude and constant support for his institution's work.

I would like to thank Minister Axworthy for his presence here in the Council and, through him, to convey my gratitude to the Government of Canada for having organized this open debate in which, in addition to the members of the Council observers and other Member States are participating. I would also like to commend his country on the efforts it is making to enhance the protection of civilians in armed conflict. In our understanding, this is one of the topics of greatest concern on the Council's agenda, and it calls for an urgent response on our part.

Recent experience has demonstrated that civilians are no longer merely the victims of armed conflict; they have become the targets of the belligerent factions. It has become common to consider the murder, terrorization, rape and expulsion of the civilian population from their homes a military tactic. Sierra Leone, Angola, East Timor and Kosovo provide examples of a long list of atrocities.

The Council has repudiated these misdeeds on numerous occasions, but it is not enough for us to condemn this aberrant conduct; we must find a way to ensure that it does not recur.

As we said last September in discussing this same topic in the context of strengthening legal protection for civilians, the international community has endowed itself with many important instruments. Despite their limitations, it can be said that we have developed an adequate body of law to confront these situations.

Regrettably, this level of development in jurisprudence is not matched by a similar level of compliance. We must focus our efforts on shrinking this yawning gap. In this regard, we wish to reiterate our support for the recommendations of the Secretary-General, of 8 September 1999, directed at strengthening legal protection; in our view, these recommendations will be very useful to our task.

Whereas the international community, as we have just said, has legal instruments to confront the issue of legal protection of civilians, the same developments have not occurred in the field of physical protection of civilians. Hence the obvious and urgent need to tackle this problem in order to fill this vacuum.

The Secretary-General's report contains an ambitious set of recommendations to improve the physical protection of civilians in armed conflicts, and these relate to various areas of the Council's work. Many of them can and should be extensively developed. This is crucial to the concept of human security and to the new realities that prevail in armed conflicts.

We are not going to recite a comprehensive listing of the recommendations of the Secretary-General, but we would like to draw attention to some aspects that seem important to us.

First of all, there must be a smooth flow of communication between the Secretariat and the Council so that this body will have access to all the information required to enable it to respond as soon as possible, including by taking preventive action. Similarly, we must explore all the possible modalities of cooperation with regional and subregional organizations.

The Council must have at its disposal a clear set of rules for the protection of civilians when considering mandates for peacekeeping operations. These rules must include measures for the disarmament, demobilization and reintegration of former combatants, measures to control small arms and light weapons and means of controlling media that incite people to genocide, crimes against humanity and other grave violations of humanitarian law.

At another level, we are concerned that in many cases of conflict, access for humanitarian assistance to the civilian population is denied, in violation of international law, and personnel providing assistance are attacked. Many of these attacks, far from being accidental, are determined specifically by the fact that the personnel belong to the United Nations or are linked in some manner to the Organization. This is why we support, as we said last February, the Secretary-General's recommendation that we expand the scope of application of the 1994 Convention on the Safety of

United Nations and Associated Personnel by means of an additional protocol.

Many of the recommendations that we have just mentioned concerning the physical protection of civilians in armed conflict have been reflected in the draft resolution presented by Canada, which we fully support.

The adoption of resolution 1265 (1999) last September constituted a fundamental step forward. The working group created as a follow-up measure has now finished its deliberations and has presented us with the results of its work. The Council must take on board these results and continue its work. This open debate and the adoption of the draft resolution will be another step in the right direction. It is time for the Council to take the lead and set seriously in motion the mechanisms and measures proposed in the recommendations of the Secretary-General.

The President: I thank the representative of Argentina for his very kind words.

Miss Durrant (Jamaica): It is a pleasure to see you, Sir, once again presiding over the Council's deliberations, especially as we are debating today the issue of protection of civilians in armed conflict. This very important issue, which is at the heart of the mandate of the Security Council, in the light of its relevance to the maintenance of international peace and security, has rightly been given increased attention in recent years. My delegation therefore appreciates the special attention which Canada has given to this issue, and we wish to thank the Canadian delegation for piloting the draft resolution now before the Council.

We wish to thank the Secretary-General for his important introductory statement and for the recommendations contained in his report, document S/1999/957. We also wish to recognize the valuable contribution made by the International Committee of the Red Cross (ICRC) over the years and to thank the President of the ICRC for his thought-provoking address. We also wish to take this opportunity to express our appreciation to the staff of the humanitarian agencies of the United Nations and of the non-governmental organizations who daily risk their lives to assist civilians in zones of conflict.

It is regrettable that despite the continued efforts by the international community to address the deliberate targeting of civilians in conflict areas around the globe, innocent women, children, refugees and other vulnerable groups are targets of warring parties in violation of international law. This has resulted from the fact that most modern conflicts are intra-State in nature. Indeed, most of the persons affected are now internally displaced persons rather than refugees who have crossed borders. While we recognize the need to proceed on a case-by-case basis, taking into account the particular circumstances, there is no doubt that the gravity of the problem resulting from the blurring of the lines between civilians and combatants requires us to redouble our efforts to devise and adopt effective responses.

It is in this context that we are pleased with the efforts of the informal working group established by Security Council resolution 1265 (1999) to review the comprehensive recommendations contained in the Secretary-General's report. A number of the proposals made in the report aimed at improving the legal protection of civilians warrant detailed attention. Urgent steps must be taken to follow up on the Secretary-General's recommendations, which are particularly concerned with the need to meet the challenge of inducing States and non-State actors to comply with the provisions of international law. The development of appropriate international mechanisms to prosecute those who commit grave breaches of international law must continue to be given priority. We have begun with the establishment of the International Tribunals for the former Yugoslavia and Rwanda.

Jamaica strongly supports the view that promoting respect for international humanitarian, human rights and refugee law and addressing the current culture of impunity will contribute significantly to the overall protection of civilians in conflict situations. More attention must therefore be given to disseminating knowledge of human rights obligations and to encouraging States to fulfil their obligations to respect international law and to take appropriate legal measures to punish offenders.

In addition, it is imperative that we develop innovative strategies for addressing violations of international law by non-State actors. It is unfortunate that the legal regimes at our disposal cannot be applied easily to such actors. In the case of internal conflicts characterized by the existence of complex groupings of militias and criminal elements, it is difficult in practical terms to enforce the accountability of these individuals. This is an area which requires serious study to explore possible solutions.

The success of our efforts to promote protection for civilians in armed conflict depends largely on our willingness to take bold steps in a number of critical areas. I wish to highlight some of these, which should form part of a broad-based and comprehensive strategy to address the plight of these persons.

First, there is an urgent need to ensure that the special protection and humanitarian needs of vulnerable groups, particularly women and children, are addressed in the mandates of peacemaking, peacekeeping and peace-building operations. The Council's recognition of the importance of child protection represents an important development in efforts to address the special needs of children. In this regard, we strongly support the inclusion of specific provisions in peace agreements, and in the mandates of United Nations peacekeeping operations for disarmament, demobilization and reintegration, particularly of child soldiers. The momentum already gained in this area must be maintained. Further action needs to be taken to offer women and girls special protection, particularly from acts of sexual violence.

Second, the question of impunity must be resolutely addressed in the most innovative ways in order to deter future violations of human rights by parties to armed conflict. Adopting appropriate targeted measures, including the imposition of arms embargoes where parties to conflicts deliberately target civilians in violation of international humanitarian law, could represent an important and effective means of achieving this objective.

Third, the design and implementation of Security Council sanctions must be improved significantly to increase their effects on targeted groups while minimizing their unintended effects on civilians. During our debate earlier this week on general issues relating to sanctions, my delegation emphasized that the appropriate use of humanitarian exemptions and "smart" sanctions were critical elements in our effort to reduce the unintended humanitarian impacts of sanctions regimes.

Fourth, appropriate responses must be developed with the cooperation of other international bodies, regional organizations and civil society during the early phases of conflicts to curb the illicit traffic in small arms and light weapons, which contribute to the escalation of conflicts and which result in serious harm to civilians. Supporting initiatives to promote mine action, where appropriate, should also become part of the Security Council's response to civilian tragedies.

Fifth, provisions must be made as a matter of course for appropriate training in international humanitarian, human rights and refugee law for personnel involved in United Nations operations, and for sensitizing them about the conditions in the countries concerned.

Sixth, every effort should be made to ensure that peacekeeping missions have appropriate mandates and adequate resources in order to strengthen their ability to offer credible and adequate protection to civilians in situations of conflict. In this connection, we must ensure that the civilian nature of refugee camps is maintained and that the issue of protection for internally displaced persons is addressed.

Seventh, improving the environment for the safe and secure provision of humanitarian assistance to individuals in need is a major challenge. Attention to legal and physical protection for humanitarian personnel should be given greater priority. Humanitarian workers must be able to offer their services in situations of conflict and should be allowed to do so without being subjected to abuse.

In all of these areas, much remains to be done; and increased cooperation between the Security Council, the General Assembly and the rest of the United Nations system, regional bodies and non-governmental organizations will prove essential for achieving progress and for ensuring a comprehensive approach to protection for civilians in armed conflict.

These concerns, among others, are at the heart of the Security Council's mandate for the maintenance of international peace and security. The clear connections between large-scale human suffering, systematic and widespread violations of the rights of civilians and the breakdown in international peace and security increase the need for the Council to keep this issue at the forefront of its agenda.

While the action already taken by the Security Council to improve the protection of civilians is a step in the right direction, my delegation believes that there is a further need for ensuring that the international community takes a comprehensive, integrated approach to the problem. This approach must involve not only the improvement of physical and legal protection, but must also be aimed at eradicating the root causes of armed conflict. Prevention of armed conflicts is the best protection and in this regard, the Security Council must

place special emphasis on the development of appropriate preventive measures.

As highlighted by the Secretary-General in his 1999 report on the work of the organization, long-term prevention strategies must seek to prevent destructive conflicts from arising in the first place. A holistic approach to maintaining peace and protecting civilians should therefore involve the development of appropriate early warning and information-gathering mechanisms.

In his report on the protection of civilians in armed conflict, the Secretary-General reminded us that the responsibility for the protection of civilians cannot be transferred to others, and that the United Nations is the only international Organization with the necessary reach and authority. The draft resolution before us today, which my delegation is pleased to support, seeks to recommit the Security Council to this task.

The President: I thank the representative of Jamaica for her kind words addressed to me.

Mr. Yel'chenko (Ukraine): My delegation endorses the statement that will be made by the representative of the Azerbaijan Republic on behalf of Georgia, Ukraine, Uzbekistan, Azerbaijan and the Republic of Moldova.

I also wish to join previous speakers in expressing our appreciation to the delegation of Canada for organizing today's open debate and for its tireless efforts to bring it to a successful conclusion.

We also thank President Kellenberger of the International Committee of the Red Cross (ICRC) for his excellent presentation.

My delegation had an opportunity to state its position on these issues on several occasions, and I will limit my remarks to those points that we feel particularly pertinent in the context of today's stage of our deliberations.

One can hardly find any other topic on the agenda of the Security Council that has attracted such genuine and vivid attention on the part of the members of this body, and of the international community as a whole, for the past several years. Its consideration passed through several distinct stages, gaining each time more and more momentum and thus bringing the Council closer to more substantive results. In 1999 alone we witnessed several interesting debates on this issue, not to mention discussions on a number of related topics throughout the year.

Preparation by the Secretary-General of his momentous report containing a body of recommendations set an important agenda and the basis for further work by the Council, as well as by other United Nations bodies. Last month the Council provoked an unusually keen debate, with participation of the wider United Nations membership, on humanitarian aspects of its work. That debate brought to the surface several difficult but important questions regarding the role of the Security Council and other United Nations organs in considering humanitarian issues, as well as the limits on the Council and other international actors in taking action for humanitarian purposes.

The draft resolution we are going to adopt today provides answers to many of those questions. It also represents a major milestone in the work of the Security Council and reflects a growing consensus among the members of the international community as to the ways and means to ensure protection of civilians in armed conflicts. The draft resolution effectively reaffirms that the Council can and will act in situations where deliberate targeting of civilians and systematic, flagrant and widespread violations of international humanitarian and human rights law constitute a threat to international peace and security. Other provisions of the resolution define areas where the Council action is essential and establish standards for such action.

I would like to mention another important feature of the approach adopted by the Security Council in considering the recommendations presented in the Secretary-General's report. By confining itself to the recommendations related to the physical protection of civilians and deciding not to embark upon other matters, the Council left important issues for consideration by the wider United Nations membership and thus set a clear precedent for its future work in this area. The Council took this decision consciously, with due regard for many concerns that had been voiced by non-members of the Council in this regard and in consideration of the need to improve its working methods and increase coordination with other United Nations bodies. My delegation considers this particularly important, especially in view of the fact that the Council requested the Secretary-General to submit his next report on the subject in March 2001.

Prevention of conflicts is an important part, probably the key part, of the overall strategy aimed at protection of civilians. Prevention, containment and elimination of conflicts constitute the main task of this

body. Apart from the need to focus on the economic and social causes of conflicts, which is the major task of the whole Organization, we believe there is also an obvious need to elaborate a framework document to define clear-cut principles and criteria, as well as effective mechanisms for the authorization by the Council of enforcement measures to prevent armed conflicts within States at their earliest stage.

We think that such a universally accepted document could substantially enhance the capacity of the Security Council for early action to avert the potential outbreak of internal armed conflicts. Such regulation could definitely create better conditions for unanimity among the members of the Security Council, especially the permanent ones, in a decision-making process. We would also like to emphasize that any such preventive action by the Council should be based on the Charter of the United Nations and principles of international law, including the principles of the political independence, sovereignty and territorial integrity of States. It is important that the draft resolution to be adopted make explicit references to these norms and principles.

A number of important recommendations by the Secretary-General relating to the legal aspects of enhancing the protection of civilians were left outside the scope of the draft resolution. We would like to comment on some of these.

First of all, Ukraine fully subscribes to the recommendation contained in the report regarding the need to accelerate ratification of the Rome Statute of the International Criminal Court. While recognizing that the text of this document may not be perfect in all respects and that further work is needed to finalize the necessary legal framework, we view such a court as the only viable democratic mechanism of a universal character to enforce respect for international humanitarian law. By signing the Rome Statute several months ago, my country took its first step towards participation in this instrument. Recently, extensive work was undertaken in Ukraine to elaborate and eventually adopt the necessary implementing legislation that will lead to the ratification of the Statute.

In this regard, Mr. President, I wish to point out that the efforts of your country and your personal commitment serve as a valuable example and strengthen our determination to pursue this cause. I would also like to commend the elaboration of the Crimes Against Humanity Act, which makes Canada the first country to have developed comprehensive legislation to implement the Rome Statute.

Let me also emphasize the importance my country attaches to the 1994 Convention on the Safety of United Nations and Associated Personnel. Its entry into force last year represents significant progress in strengthening the regime of protection of people in the service of the United Nations operating in conflict zones under the mandate of the Security Council or General Assembly. At the same time, we recognize that the Convention is far from adequate for ensuring the same level of protection to categories of United Nations and associated personnel engaged in operations other than those specifically authorized by the Security Council or the General Assembly. We wish once again to put on record our support for the elaboration and adoption of an additional protocol to extend the scope of legal protection for United Nations and associated personnel.

We regret the fact that during the last decade children have appeared among combatants. The recent finalization of a draft optional protocol to the Convention on the Rights of the Child on the minimum age for children in armed conflict represents a significant contribution to the protection of the rights of this most vulnerable group. We hope that its eventual adoption by the General Assembly will be followed by rapid ratification by States and subsequent effective implementation in their national legislation.

In conclusion, I wish to reiterate Ukraine's support for the draft resolution before us today. By adopting it, the Council takes a significant step forward in developing its policies and practices aimed at the effective protection of civilians in armed conflict. We look forward to the next report of the Secretary-General, which, we hope, will enable us to make further progress in this direction.

The President: I thank the representative of Ukraine for his very fine words.

Mr. Chowdhury (Bangladesh): It is a great pleasure to see you, Sir, chairing this important meeting of the Council on the subject to which your personal commitment, your country's proactive interest and the dedication of the Canadian delegation are well known. For some time now we have been pleased to see the Council's engagement in the humanitarian aspects of issues before it. Today's open meeting is a sequel to that, and we are happy to participate in the debate.

I will take this opportunity, if you will allow me, Sir, to thank you personally for your very gracious words of appreciation for Bangladesh's presidency of the Council last month. We acknowledge the presence of the new president of the International Committee of the Red Cross, Mr. Kellenberger, and we thank him for his comprehensive statement touching upon important aspects of the issues of the protection of civilians. The presence of the Secretary-General at the outset of our debate today is very much appreciated, and we believe his statement also effectively drew attention to the subject under discussion.

Since the debate we had on the report of the Secretary-General on the protection of civilians in armed conflict, issued last September, the subject has received increasing attention in the Council's work. We consider today's deliberations to be the culmination of that initiative in that there is now a draft resolution based on the recommendations of the Secretary-General contained in that report.

The draft resolution is on a subject which is of a somewhat evolving nature in the sense that the nature of the conflict, changing as it does, defines the protection needs of the civilians. We feel that the experience of the United Nations in dealing with situations of armed conflict has also changed, for various reasons. This only shows that the task of defining Council action in meeting the needs of civilians in armed conflict will have to evolve over time. Therefore, one set of steps cannot be considered a panacea for all situations.

Having said that, we do feel that some commonalities exist between the protection needs of civilians in differing situations of armed conflict, and that they could be effectively addressed. Our support for the draft resolution is based on that premise.

It is perhaps no wonder that in the draft resolution, while considering ways to provide for the protection of civilians, steps have been considered to address the relevant issues on a case-by-case basis and as appropriate. From this point of departure, we see it address the special protection needs of women, children and other vulnerable groups, including refugees and internally displaced persons. The mention of the existing legal framework, including the Charter, international humanitarian law and human rights and refugee law, although considered inadequate, appears to be comprehensive.

We support enhancing the capacity of the United Nations for rapid deployment in conflict situations. We also support preventive deployment, which can be an effective action to prevent an impending crisis. Bangladesh supports the focus on situations where refugees, internally displaced persons and other sections of the civilian population are deliberately placed in vulnerable situations. We need to improve the security of refugee camps so that armed elements cannot threaten the situation there. The need for United Nations peacekeeping missions to include a media component to disseminate information relevant to their purpose and mission is a welcome proposal.

We support the consideration given to the appropriateness of temporary security zones and safe corridors for the protection of civilians and the delivery of emergency assistance. We reiterate our support for the issue of incorporating measures relating to the disarmament, demobilization and reintegration of ex-combatants, particularly child soldiers, in the mandates of United Nations peacekeeping operations. The incorporation of a mass media component, a novel approach in our opinion, should also be useful in many situations.

It is equally important to provide training to personnel on international humanitarian, human rights and refugee law, as well as in negotiation and communication skills, cultural awareness and civil-military coordination.

We welcome the Council's decision to set up an informal working group on a temporary basis on the general issues of sanctions, and support its consideration of the recommendations contained in the Secretary-General's report. It is heartening to note that the General Assembly's Special Committee on Peacekeeping Operations has considered the recommendations. While looking forward to the next report of the Secretary-General on the issue under consideration, we affirm our intention to support the draft resolution.

The President: I thank the representative of Bangladesh for his kind words.

Mr. Keita (Mali) (*spoke in French*): I would like first of all to express my delegation's satisfaction at seeing on the Security Council's agenda the issue of the protection of civilians in armed conflict. Allow me to welcome the presence here today of the President of the International Committee of the Red Cross (ICRC). We wish to pay tribute to him for the efforts made by his institution in the protection of civilians.

The protection of civilians in armed conflict remains a cause of great concern to the international community. The increasing number of conflicts and the systematic recourse to violence against the civilian population, in violation of the norms of international law and international humanitarian law, attacks against United Nations personnel, associated personnel and humanitarian workers are a serious threat to international peace and security. We must adopt a concerted approach consonant with the purposes and principles of the United Nations Charter.

In his report of September 1999, the Secretary-General made a striking analysis of the situation and formulated a number of recommendations that we fully share and support. At this point, my delegation would like to make just a few concise observations.

First, concerning the protection of civilians, deliberate acts of violence against civilians in times of conflict require greater involvement of United Nations bodies, all Member States, civil society, non-governmental organizations working in the field and above all the State on whose territory the conflict is taking place so that the acknowledged principles of respect for humanitarian law will produce the necessary positive results.

In addition to physical protection, civilians require greater legal protection, and this implies wider accession to the various instruments relating to international humanitarian law, the incorporation of these instruments into domestic law and above all their implementation, which will contribute to the creation of a more solid basis for the legal protection of civilians. This legal framework would be relevant to the new guidelines on protecting vulnerable groups, women and children, refugees, displaced persons, humanitarian personnel and the staff of peacekeeping missions.

Secondly, sanctions, as the coercive instrument of the international community, are also a source of serious concern because of their humanitarian repercussions. We believe that the imposition of sanctions must from now on take into consideration human security, and that is why we are in favour of targeted sanctions. We must make sanctions more humane, as it is not our duty to create conditions of humanitarian catastrophe through excessive rigidity.

Thirdly, concerning the proliferation of light weapons and small arms, the massive and uncontrolled use of these arms remains a serious threat to human security. They are easy to acquire and use, and they have become a symbol of the suffering of civilian populations. This is why my delegation would like to emphasize the importance of measures to stem the flow of illicit weapons, and particularly small arms and anti-personnel landmines. The West African subregion has taken some useful initiatives in that area, including a resolution on small arms and a moratorium on the manufacture, import and export of light weapons.

The international community, hitherto helpless in terms of ensuring that embargoes are respected and preventing illegal arms transfers to areas of conflict, must react with greater cooperation and coordination in the overall effort to stem the proliferation of light weapons and attenuate their devastating impact. The United Nations conference on small arms in 2001 will undoubtedly be the beginning of a solution in this area.

Fourthly, in connection with peacekeeping, the multitude and type of conflicts and their disastrous impact on civilians call for the establishment of multidimensional peacekeeping operations. This is why we believe that peacekeeping operations must be endowed with clear mandates in all areas, including better monitoring of refugee camps. This is why we are glad to see the protection of civilians, and particularly children, being covered in peacekeeping mandates. My delegation would like to emphasize once again the need for concerted and coordinated action between the United Nations and regional and subregional organizations in this field in order to bring about the desired degree of confidence.

We support the implementation of the Secretary-General's recommendations he highlighted in his statement this morning, particularly the creation of a rapid intervention force and preventive missions.

The protection of civilians in armed conflict must go beyond the merely physical and legal protection advocated in the report. It must include the economic, social and cultural protection of populations, because there is no longer any doubt about the close linkage between peace and economic security. Human security can flourish only in that context.

Finally, we wish to support the important draft resolution that we are about to adopt and restate my country's firm commitment to promoting the culture of peace and opposing the culture of impunity.

The President: I shall now make a statement in my capacity as the Minister for Foreign Affairs of Canada.

At the outset, allow me to express my appreciation to the members of the Council for the attention and consideration that they have shown me during my presence here in the past few days and for their cooperation with my country's delegation in addressing the human security challenges facing the international community. I will also take, as the representative of the United Kingdom said, deep reflection on the arcane ways of the Council back with me when I return to Ottawa later this afternoon. It certainly has been an experience and I thank the Council for it.

Allow me, as well, to join with others in expressing appreciation to Secretary-General Annan for his very strong declaration and his continuing leadership in this field. I particularly welcome Mr. Kellenberger for his remarks, which not only set out very important ideas, but vividly evoked the suffering endured by millions of war-affected people whom his organization must deal with on a daily basis.

The words of the Secretary-General and Mr. Kellenberger underline very dramatically how the victimization of civilians has become motive, means and manifestation of modern armed conflict. It is a cruel reality that none of us can ignore. In our increasingly interconnected world, the insecurity of others sooner or later becomes a matter of our own insecurity. This new global context has, as a result, forged common interests and common humanity into what I believe is a powerful impetus for common action.

For Canada and our foreign policy, this has meant putting a priority on people's security. It was the inspiration behind the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction, the impetus for the creation of the International Criminal Court and the motive for our efforts to address the proliferation of small arms and the needs of war-affected children.

Advancing this human security agenda was also one of the objectives that Canada set for itself in seeking a seat on the Security Council. Some may recall that, last February, during our first presidency, I came to the Council to encourage it to make the protection of civilians in armed conflict a primary concern in this Council's work.

Last fall, the Secretary-General presented a remarkable report that pointed the way ahead and the Council responded with resolution 1265 (1999) — its own commitment for action — under the presidency of the Netherlands. Today, the Council will take action that gives further coherence to this activity and that effectively sets a new course for the Council in defending the safety of people. The Secretary-General's report was a blueprint for action. The draft resolution we will adopt today is a handbook. Most importantly, the text before us entrenches the principle that, in the pursuit of peace, the security of people is at least as worthy a subject as the security of States. In both spirit and letter, the draft resolution provides the basis for Council concern and action for this purpose.

This does not mean that the State is obsolete. On the contrary. As the representative of the United Kingdom pointed out in his very eloquent statement, human security does not weaken sovereignty, but strengthens it by reinforcing democratic, tolerant, open institutions and behaviour that do protect people. For another thing, the State remains the most powerful instrument for pursuing collective action.

It does, however, reflect a shift in the perspective of this Council, where the security of people is no longer a by-product, but is increasingly becoming a central tenet of the Council's work. The text before us calls attention to specific human security threats that require action. This is important because consciousness itself stimulates conscience. We need to know before we can act. Recent Council debates on issues of direct concern to the safety of people have served this purpose very well: on conflict prevention, sponsored by Slovenia; on small arms, initiated by the Netherlands; on the protection of United Nations and humanitarian workers, under the direction of Argentina; on war-affected children, chaired by Namibia; on the situation of refugees and internally displaced persons in Africa, presided over by the United States; and, of course, on the broad humanitarian aspects of issues, which was brought before the Council by the representative of Bangladesh.

The draft resolution pulls together many of these strands and highlights, with particular emphasis, the special needs of women and children in conflict, the importance for unhindered humanitarian access to conflict zones, the protection of refugees in their camps and the pursuit of those who violate security. In so doing, it creates an obligation and responsibility for the Council to shape its work accordingly.

The text before us also moves forward Council practices in the defence of people. In the last year, new peacekeeping missions have been deployed in Kosovo,

East Timor and Sierra Leone, each with a robust and explicit mandate to facilitate humanitarian efforts and to offer direct protection to civilians. The text before us reinforces this very crucial statement and responsibility of the Council.

There is also a movement to adapt the use of sanctions so that they can enhance, rather than diminish, the safety of people. The Council's decision Monday to create an informal working group to provide concrete reform proposals and its action yesterday to strengthen the Angola sanctions regime are, again, positive signs that there is a new direction appearing and that we are building. The provisions of the draft resolution advance these practices with further procedural references to peacekeeping, the use of sanctions and information-sharing between the Security Council and the United Nations system and its members.

Council members would be the first to agree that neither they, nor anybody else, has a monopoly when it comes to protecting civilians in armed conflict. In response, this draft resolution links Council practice to initiatives elsewhere — such as the landmines campaign and efforts to prosecute war criminals — that promote human security. For example, with regard to war-affected children, there is considerable momentum for global action. In January, as many have noted, there was an international agreement on raising the age at which young people can be deployed in combat. Later this month, Ghana and Canada will host a conference in Accra to catalyse efforts in the West African region on the protection of war-affected children. In September, Canada will host an international conference bringing together Governments, international agencies and civil society to develop a global plan of action. This will provide a basis for the work on the special session on children over which the representative of Jamaica will be presiding next year. Council engagement in these areas can go a long way towards complementing the impact of these initiatives. They work in complementary fashion.

In sum, the text before us conveys this basic message: people — not just States — are subjects of global relations, and the security and basic rights of people — not merely the absence of military conflict between States — are fundamental to world stability and peace. Coming from the Security Council, this is a powerful message of change for the United Nations and the international community.

However, it is clearly not a message without considerable challenges, nor one that has been met with undiluted enthusiasm, as we have seen. Those who have suffered under colonialism and other outside involvement in their countries might well be skeptical. However, preventing abuse, stopping atrocities and dealing with the impact of war are also their issues, pertaining to their realities and clearly affecting stability in their regions. Others argue that the promotion of human security diverts attention and funds from the more basic priority of development. But far from being mutually exclusive, human security and human development are just opposite sides of the same coin. It is hard to devote resources to improving the gross national product when they are being spent to repair the ravages of war. Freedom from fear is an indispensable precursor to freedom from want. The two go together.

Translating human security principles into practice also means grappling directly with difficult, highly charged subjects, being active in difficult, intractable conflicts where human suffering is great and taking action in difficult circumstances when the use of military force may be necessary to alleviate extreme abuse. No one in any way diminishes the difficulty and complexity of these kinds of initiatives.

There has been progress; we have seen it. But frankly, there have also been setbacks. Resistance to taking robust Council action last year in Kosovo, reticence in dealing openly in this Council with issues related to internally displaced people and reluctance by the Council to become more engaged in certain conflicts that take a relentless and appalling toll on human life all make clear the need for improvement.

There are, finally, some very practical considerations in promoting human security. Council decisions aimed at protecting the safety of people are only as good as our ability to carry them out. This is no secret. For the most part, we know what is needed — faster, more resolute and more effective response. Ultimately, this takes political will and the application of considerable resources. Neither is inexhaustible, and the willingness of the international community to commit them is still an open question.

To be sure, work by the Council to promote human security remains a work in progress. It is work that should continue, because human security, including the security of civilians, must not be an issue that is considered just once or twice a year. This draft resolution will ensure that it becomes an integral part of the Council's deliberations each and every time it considers

action — that, in effect, human security is hardwired into the Council's operations.

Our discussions over the last few days — on the Rwanda genocide, the Angolan conflict, the general use of sanctions and the protection of civilians in armed conflict — point to immediate concerns that need Council focus. They also suggest that the Council's hardwiring needs to be part of a system-wide rewiring. Growing threats such as the abuse, trafficking and proliferation of small arms; emerging trends such as the increasing role of non-State actors, both in perpetuating war and promoting peace; and new and complex human security challenges in specific areas like the Horn of Africa, including Sudan, where a confluence of natural disasters and man-made warfare, especially the relentless and systematic targeting of civilians, results in extreme human suffering — these all require a global system that is appropriately programmed to respond.

The Millennium Assembly offers an occasion to put concern and action for human security and safety where it belongs: at the very centre of the United Nations system. The Council's action today is a step in this direction, providing leadership and renewed meaning to the principles of the Charter and giving renewed hope to the peoples for whom this Organization was founded.

The meeting was suspended at 2.15 p.m.